

FILED
AUG 7 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATRICK E. NOEL
Pro Se Petitioner
V88778
CSP Sacramento
PO Box 290066
Represa, CA. 95671-0066

CV 08

3777

E-filing

MHP

(PR)

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRICK E. NOEL,) Mendocino County
) No. CR-04-58628002
)
Petitioner,) Appeal No. A110859
)
v.) California Supreme Court
) No. S151361
JAMES WALKER, WARDEN,)
) REQUEST FOR
Respondents.) APPOINTMENT OF
) COUNSEL
)
)

REQUEST FOR APPOINTMENT OF COUNSEL

Petitioner, PATRICK E. NOEL, moves the Court for an order appointing counsel at public expense. 28 U.S.C. §§ 1915(e)(1), 2254(h); 18 U.S.C. § 3006A.

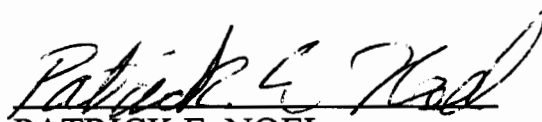
Petitioner is indigent and was represented by appointed counsel in the state court proceedings.

1 Counsel should be appointed in this Court because the issues in this case are
2 too complex for an untrained, pro se petitioner to adequately address. Petitioner
3 has no legal training or experience and does not believe he can competently
4 represent himself before this Court.
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7 The petition, motion to hold proceedings in abeyance, and this motion were
8 prepared by attorney, Randi Covin, who agreed to assist petitioner with his Pro Se
9 pleadings for a small fee paid by petitioner's mother. But neither petitioner nor
10 his mother can pay Ms. Covin or any attorney enough to represent petitioner in
11 this action and Ms. Covin is unable to represent petitioner without compensation.
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13 Petitioner could not have adequately prepared these documents and will not be
14 able to respond to any answer by respondents. Petitioner, therefore, requests that
15 the Court appoint an attorney to represent him.
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17

18 I declare under penalty of perjury that the foregoing is true and correct.

19 Executed this 24 day of July, 2008, at Represa, California.
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24 PATRICK E. NOEL
25 Pro Se Petitioner
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1 I, RANDI COVIN , declare:

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3 1. I am an attorney licensed to practice in the State of California and in
4 this Court. My practice consists almost entirely of indigent criminal appeals and
5 writs in California. In the last few years, I have begun assisting some of my state
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7 appeal clients with their federal habeas pleadings for modest fees paid by their
8 families. I find this is a valuable service to criminal defendants who cannot afford
9
10 full representation in federal court and would otherwise be entirely on their own.

11 2. In March 2008, petitioner's mother contacted me and paid me a small
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13 amount of money to help petitioner with his Pro Se pleadings. After some
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15 investigation, I assisted petitioner with the preparation of his petition, motion to
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17 stay and abey and this request. Petitioner's mother told me she is unable to pay
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19 me or any attorney enough to represent petitioner as counsel of record.

20 3. I am a sole practitioner struggling to make a living doing California indigent
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22 appeals and I cannot afford to provide additional legal services to Mr. Noel
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24 without compensation. I do not believe Mr. Noel will be able to effectively
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26 represent himself without assistance.

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1 I declare under penalty of perjury under the laws of the state of California
2 that the foregoing is true and correct. Executed this 8th day of July, 2008, at
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4 Oakland, California.

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8 RANDI COVIN
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